

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

Vicky Rodríguez-Torres, et al.
Plaintiffs

v.
Government Development Bank PR, et al.
Defendants

CIVIL 10-02228-DRD

18 U.S.C. § 1030,
18 U.S.C. § 2510,
18 U.S.C. § 2701,
29 U.S.C. § 623,
42 U.S.C. § 1981,
42 U.S.C. § 1983,
42 U.S.C. § 1985,
42 U.S.C. § 1988,
29 U.S.C. § 2000e-3
RETALIATION, TORTS,
SEPARATION PAY

TRIAL BY JURY

MOTION TO VACATE ORDER, ECF NO. 9

TO THE HONORABLE COURT:

Now comes Plaintiff, through the undersigned attorney, and alleges and prays as follows:

In issuing **ECF No. 9**, Plaintiff submits that this Court acted improvidently, based on the following grounds:

- a. Motion requesting said order did not meet the twenty-one (21) day safe-harbor requirement of serving the paper before filing it with the Court;
- b. Alternatively, had the Court been acting on its own initiative, it failed to:
 - i. describe the specific violative conduct;
 - ii. enter an order directing Plaintiff to show cause as to why she had not incurred in such violative conduct;

c. The sanction is excessive, and extends beyond the limitation that it be sufficient to deter repetition of the imputed conduct;

WHEREBY, for all of the above, Debtor prays this Honorable Court:

VACATE its ORDER as set forth in ECF No. 9.

Submitted in New York City, this 19th day of April, 2011.

S/William E. Meléndez Menéndez
William E. Meléndez Menéndez
USDC PR No. 226902

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties in interest.

In New York City, this 19th day of April, 2011.

S/William E. Meléndez Menéndez
William E. Meléndez Menéndez
USDC PR No. 226902